



Express Mail No. EV475141674US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Aebi, et al.

Confirmation No.:

Serial No.: 10/538,542

Art Unit:

Filed: June 10, 2005

Examiner:

For: INTERVERTEBRAL  
IMPLANT COMPRISING  
JOINT PARTS THAT ARE  
MOUNTED TO FORM A  
UNIVERSAL JOINT

Attorney Docket No: 8932-1181-999

**TRANSMITTAL OF REVOCATION AND POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attorneys for Applicants submit herewith a Revocation and Power of Attorney for the above-identified application, executed by an authorized agent of the Assignee, Mathys Medizinaltechnik AG, on September 23, 2005. It is respectfully requested that this form be entered into the file of the captioned matter.

No fee is believed to be required with the transmittal of the Revocation and Power of Attorney. However, should a fee be required, the Commissioner is authorized to charge any such fee to Jones Day Deposit Account No. 50-3013.

Date: September 27, 2005

Respectfully submitted,

Brian M. Rothery

35,340  
(Reg. No.)

**JONES DAY**  
222 East 41st Street  
New York, New York 10017  
(212) 326-3939



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Express Mail No.: \_\_\_\_\_  
POWER OF ATTORNEY

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**REVOCATION AND POWER OF ATTORNEY**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Mathys Medizinaltechnik AG (applicant or assignee) hereby revokes any and all previous powers and appoints:

☒ Practitioners at Customer Number 51832

as his/her/its/their attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please direct all correspondence address for the above-identified application to:

☒ The above mentioned Customer Number.☒ Firm or Individual Name:Address: Jones Day, 222 East 41st Street, New York, New York 10017

Telephone: (212) 901-9028

I am the:

- ☐
- Applicant/Inventor
- 
- ☒
- Assignee of record of the entire interest. See 37 CFR 3.71.
- 
- (Statement under 37 CFR 3.73(b) is applicable)

SIGNATURE of Applicant or Assignee of Record			
Date:	X 9/23/05	Signature:	X Robert M. Rauker
		Typed Name:	Robert M. Rauker
		Position/Title:	Authorized Agent

Mathys Medizinaltechnik AG

☒ the assignee of the entire right, title, and interest; or

☐ an assignee of less than the entire right, title and interest.

.....

**COMMONWEALTH OF PENNSYLVANIA**  
**Notarial Seal**  
**Elizabeth K. Goshay, Notary Public**  
**Uwchlan Twp., Chester County**  
**My Commission Expires June 2, 2009**

**Member, Pennsylvania Association of Notaries**

WHEREAS, new and useful improvements have been made by the undersigned in  
INTERVERTEBRAL IMPLANT COMPRISING JOINT PARTS THAT ARE MOUNTED TO  
FORM A UNIVERSAL JOINT

that are the subject of an application for a U.S. Patent, (Application Number  
10/538,542 filed \_\_\_\_\_), which application is further  
identified as Rankin, Hill, Porter & Clark LLP Docket No. LUS-.....

WHEREAS, Mathys Medizinaltechnik AG, a corporation of Switzerland, and having  
a place of business at Güterstrasse 5, CH-2544 Bettlach, Switzerland, hereinafter referred  
to as "assignee", is desirous of acquiring all right, title, and interest throughout the world in,  
to, and under said improvements and inventions and patent rights therefor.

NOW, THEREFORE, be it known that, for valuable consideration, the receipt and  
sufficiency of which are hereby acknowledged, all right, title, and interest, in the United States  
and throughout the world, in, to and under said improvements and inventions and all patents,  
patent applications, patent rights, and inventor's certificates thereof, therefor, and therein,  
including without limitation said application for patent in the United States, all divisions and  
continuations thereof, all patents which may be granted thereon, all reissues and extensions  
thereof, all right to sue for past infringement thereunder, all patents which may be granted for  
said improvements and inventions by states or nations other than the United States, or by  
other authority, entity, or organization, and all applications therefor, have been and are hereby  
sold, assigned, transferred, and delivered unto assignee, its successors and assigns; and it  
is covenanted and agreed by the undersigned, and for executors, administrators, and legal  
representatives of the undersigned, that at assignee's request any and all applications,  
affidavits, assignments, and other instruments will be made, executed, and delivered as may  
be necessary, or desirable to secure for or vest in assignee, its successors or assigns, any  
improvement, inventions, right, title, interest, application, patent, patent right or other right or  
property covered by this assignment, and the United States Commissioner of Patents and  
Trademarks is hereby requested and authorized to issue any and all United States patents  
granted on any of said applications to assignee as owner of the entire right, title, and interest  
in, to, and under the same, and appropriately empowered officials of foreign countries are  
hereby authorized to issue any letters patent granted on any of said applications to assignee  
as owner of the entire right, title and interest in, to, and under the same.

The undersigned hereby grants the firm of Rankin, Hill, Porter & Clark LLP the power  
to insert on this assignment any identification that may be necessary or desirable in order to  
comply with the rules of the United States Patent and Trademark Office for recordation of this  
document.

IN WITNESS WHEREOF, this assignment has been executed below by the undersigned:

- (1) Inventor Name (joint): AEBI Max

Signature: X

Today's Date : Bill Lee Lassen

Witness: X

Witness: X

- (2) Inventor Name (joint): BURKARD Dominique

Signature: X J. Burkard

Today's Date : August 12, 2005

Witness: X J. Burkard

Witness: X J. Burkard

- (3) Inventor Name (joint): FRIGG Robert

Signature: X Robert Frigg

Today's Date : August 12, 2005

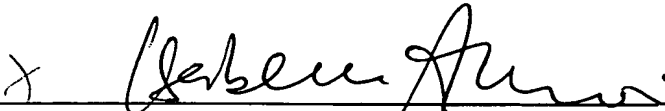
Witness: X Robert Frigg

Witness: X A. Hapke

- (4) Inventor Name (joint): LECHMANN Beat

Signature: X 

Today's Date : August 12, 2005


Witness: X 

Witness: X 

- (5) Inventor Name (joint): MATHYS Robert Jun.

Signature: X 

Today's Date : August 12, 2005


Witness: X 

Witness: X 

- (6) Inventor Name (joint): PAVLOV Paul

Signature: X 

Today's Date : August 12, 2005

Witness: X 

Witness: X 